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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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July 11, 2003

FACSIMILE COVER SHEET

To: Examiner Dao H. Nguyen
Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 703-872-9318

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/973,640
Filed: October 9, 2001
Applicant: Michael Charles Olewine
et al.
Art Unit: 2818
Confirmation No.: 6235
Attorney Docket: US018167
Our Ref: PENA/29

Enclosures:

Fax Cover Sheet containing Certificate
of Facsimile Transmission
Transmittal containing Certificate of
Facsimile Transmission
Amendment and Response

Pages: 15 (including cover sheet) **FAX RECEIVED**

JUL 11 2003

**MESSAGE/COMMENTS
OFFICIAL**

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (15 total pages) are being transmitted via facsimile transmission to Examiner Dao H. Nguyen, Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9318 on July 11, 2003.

Judith L. Volk
Judith L. Volk

July 11, 2003
Date

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PATENT TRADEMARK OFFICE

PATENT

Att'y Docket No. US018167

WHE: PENA/29/124

Confirmation No. 6235**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Judith L. Volk
Judith L. Volk

July 11, 2003
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Charles Olewine et al. Art Unit: 2818
Serial No.: 09/973,640 Examiner: Dao H. Nguyen
Filed : October 9, 2001
For : METAL-INSULATOR-METAL (MIM) CAPACITOR STRUCTURE AND METHODS OF FABRICATING SAME

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AMENDMENT TRANSMITTAL

1. ☒ **Transmitted herewith is an Amendment and Response.**
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Enclosed is a verified statement to establish Small Entity status
☒ **Other than a Small Entity**
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	24	minus	62	0	\$18	\$0.00
Independent Claims	3	minus	6	0	\$84	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$280	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ **No additional fee for claims is required.**

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 410.00	\$ 205.00
<input type="checkbox"/>	three months	\$ 930.00	\$ 465.00
<input type="checkbox"/>	four months	\$1,450.00	\$ 725.00
<input type="checkbox"/>	five months	\$1,970.00	\$ 985.00

Extension fee due with this request:

\$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

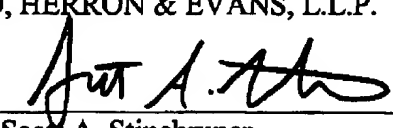
- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


 Scott A. Stinebruner
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Enclosed:

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 Amendment and Response

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PATENT

US0181867

Confirmation No. 6235

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Charles Olewine et al. Art Unit: 2818
Serial No.: 09/973,640 Examiner: Dao H. Nguyen
Filed: October 9, 2001 Atty. Docket No.: US018167
For: METAL-INSULATOR-METAL (MIM) CAPACITOR STRUCTURE AND
METHODS OF FABRICATING SAME

AMENDMENT AND RESPONSE

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated May 8, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

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Page 1 of 12
Serial No. 09/973,640
Amendment and Response dated July 11, 2003
Reply to Office Action of May 8, 2003
Philips Docket US018167
WH&E PENA/29